



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/016,972	12/14/2001	Ali Allen	ST-99-AD-037	7305
30432 7590 04/21/2008 STMICROELECTRONICS, INC. MAIL STATION 2346 1310 ELECTRONICS DRIVE CARROLLTON, TX 75006				
EXAMINER				
CHERY, MARDOCHIEE				
ART UNIT		PAPER NUMBER		
2188				
MAIL DATE		DELIVERY MODE		
04/21/2008		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**Advisory Action  
Before the Filing of an Appeal Brief**

**Application No.**

10/016,972

**Applicant(s)**

ALLEN, ALI

**Examiner**

MARDOCHIE CHERY

**Art Unit**

2188

**--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

THE REPLY FILED on 04/07/08 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☐ The period for reply expires \_\_\_\_\_ months from the mailing date of the final rejection.  
b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.  
Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**NOTICE OF APPEAL**

2. ☐ The Notice of Appeal was filed on \_\_\_\_\_. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

**AMENDMENTS**

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because  
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);  
(b) ☐ They raise the issue of new matter (see NOTE below);  
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or  
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: \_\_\_\_\_. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).  
5. ☐ Applicant's reply has overcome the following rejection(s): \_\_\_\_\_.  
6. ☐ Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).  
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.  
The status of the claim(s) is (or will be) as follows:  
Claim(s) allowed: \_\_\_\_\_.  
Claim(s) objected to: \_\_\_\_\_.  
Claim(s) rejected: 1-9 and 27-30.  
Claim(s) withdrawn from consideration: 10-26.

**AFFIDAVIT OR OTHER EVIDENCE**

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).  
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).  
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

**REQUEST FOR RECONSIDERATION/OTHER**

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:  
See Continuation Sheet.  
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). \_\_\_\_\_.  
13. ☐ Other: \_\_\_\_\_.

/Hyung S SOUGH/  
Supervisory Patent Examiner, Art Unit 2188  
04/16/08

Continuation of 11, does NOT place the application in condition for allowance because: Applicant's representative argues on page 2 to page 3, paragraph 3 of the remarks, with respect to claim 1 that "rather than transferring the data from the mass storage device to the host system in a single step, Napolitano allegedly discloses a two-step process, with a first step comprising [once retrieved, the data is loaded into adapter memory 370] and a second step comprising [the DMA engine 356 transfers the data into host memory 330 via a DMA operation]".

First of all, Examiner would like to point out that the "first step" and "second step" relied on by applicant occur before the data is transferred from the mass storage to the host system and these two steps are not intervening steps between the transfer of the data from the mass storage device to the host as evidenced in Napolitano's Fig. 5, steps 516 and 518.

Additionally, Independent claim 1 recites inter alia "requests a transfer of the requested data that resides in the mass storage device directly to the host system". In the same manner, Napolitano teaches "DMA engine 356 transfers the information obtained from disks (mass storage) into host memory 330; col. 10, lines 19-35; DMA 356 transfers the requested data directly into host memory 330; col. 10, lines 62-65".

Applicant's representative argues on pages 4 and 6 of the remarks, with respect to claim 8 that "rather than transferring the data from the mass storage device to the host system in a single step, Napolitano discloses a two-step process, with a first step comprising [once retrieved, the data is loaded into adapter memory 370] and a second step comprising [the DMA engine 356 transfers the data into host memory 330 via a DMA operation]".

First of all, Examiner would like to point out that the "first step" and "second step" relied on by applicant occur before the data is transferred from the mass storage to the host system and these two steps are not intervening steps between the transfer of the data from the mass storage device to the host as evidenced in Napolitano's Fig. 5, steps 516 and 518.

Additionally, Independent claim 1 recites inter alia "requests a transfer of the requested data that resides in the mass storage device directly to the host system". In the same manner, Napolitano teaches "DMA engine 356 transfers the information obtained from disks (mass storage) into host memory 330; col. 10, lines 19-35; DMA 356 transfers the requested data directly into host memory 330; col. 10, lines 62-65".

Applicant's representative argues on page 5, paragraph 4 of the remarks, with respect to claim 28 that "neither Lum, Simionescu, Napolitano, nor well-known practices in the art, taken alone or in combination, discloses the direct transfer of requested data residing in the mass storage device directly to the host system".

First of all, Examiner would like to point out that the "first step" and "second step" referred to in column 11, lines 8-14 of Napolitano and page 4 of applicant's remarks occur before the data is transferred from the mass storage to the host system and these two steps are not intervening steps between the transfer of the data from the mass storage device to the host as evidenced in Napolitano's Fig. 5, steps 516 and 518.

Additionally, Independent claim 1 recites inter alia "requests a transfer of the requested data that resides in the mass storage device directly to the host system". In the same manner, Napolitano teaches "DMA engine 356 transfers the information obtained from disks (mass storage) into host memory 330; col. 10, lines 19-35; DMA 356 transfers the requested data directly into host memory 330; col. 10, lines 62-65".